Fenton, Mi

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CITY OF FENTON

Employer

and

Case 7-WH-219

FENTON POLICE OFFICERS/ DISPATCHERS ASSOCIATION Petitioner

CERTIFICATION OF REPRESENTATIVE AS BONA FIDE UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938

On March 29, 2010, Fenton Police Officers/Dispatchers Association filed with the Regional Director for Region 7 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Sec. 207(b).

On March 30, 2010, the Regional Director for Region 7 served the petition on the parties, and on April 6, 2010, the Regional Director sent to the Employer an Order to Show Cause why the Board should not grant the request. The Order to Show Cause was posted by the Employer from April 15, 2010 through May 5, 2010. No response to the Order was filed. On May 28, 2010, the Regional Director recommended to the Board that a certification be issued.

No party having shown cause why a certification should not be issued, ¹ the National Labor Relations Board certifies that the Fenton Police Officers/Dispatchers

The record indicates that on April 15, 1996, the State of Michigan Department of Employment Relations Commission, Labor Relations Division certified the Fenton Police Officers Association as the exclusive bargaining representative of the bargaining unit involved herein. About July 1, 1997, the Employer and the Fenton Police Officers Association voluntarily agreed to change the representative's name to Fenton Police Officers/Dispatchers Association (the Petitioner). That name change is reflected in the recognition clause of the parties' subsequent collective-bargaining agreements. The parties' most recent

Association is a bona fide representative for purposes of Section 7(b) of the FLSA, for employees of the City of Fenton in the following unit:²

All certified police officers, matrons, and police dispatchers, excluding chief of police, clerks, sergeants, confidentials and all other employees.

Dated, Washington, D.C., August 2, 2010.

By direction of the Board:

Executive Secretary
Lester A. Hertzer
Lester A. Heitzer

collective-bargaining agreement was effective from July 1, 2005 through June 30, 2008, and provided for automatic renewal from year-to-year upon its expiration.

A certificate of bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).